



PLANNING COMMISSION AGENDA REPORT

VII.6

MEETING DATE: APRIL 23, 2007

ITEM NUMBER:

SUBJECT: REZONE PETITION R-07-03 FOR 261 MONTE VISTA AVENUE

DATE: MARCH 27, 2007

FOR FURTHER INFORMATION CONTACT: CLAIRE FLYNN, SENIOR PLANNER, 714-754-5278

DESCRIPTION

Rezone Petition R-07-03 involves a rezone of a 1.2-acre property located at 261 Monte Vista Avenue from R1 (Single-Family Residential) to I&R (Institutional and Recreational).

RECOMMENDATION

Recommend that City Council give first reading to the Ordinance approving Rezone R-07-03 by adoption of Planning Commission resolution.

LISA DUSI
Planning Intern

CLAIRE FLYNN, AICP
Senior Planner

R. MICHAEL ROBINSON, AICP
Asst. Dev. Svs. Director

BACKGROUND

On February 12, 2007 the Costa Mesa Planning Commission adopted a resolution finding that the City of Costa Mesa's purchase and acquisition of the property located at 261 Monte Vista Avenue is in conformity with the City of Costa Mesa 2000 General Plan (Commission Resolution, Attachment 3).

On February 20, 2007 Council adopted a resolution authorizing the acquisition of real property at 261 Monte Vista Avenue and expenditures from the general fund for costs related to the acquisition of the property (Council Resolution, Attachment 4).

ANALYSIS

Project Location

The Park Private Day School at 261 Monte Vista Avenue is located on a 1.2-acre property in an R1 zone (Single-Family Residential). Brentwood Park is a 1.4-acre public park abutting the subject property to the south and east (Vicinity Map, Attachment 1).

This area is primarily a single-family residential neighborhood in the Eastside. Established in 1958 but now closed, Park School served approximately 150 Kindergarten through 8th grade students. The school had 25 classrooms and 19,300 sq. ft. of playground space (Site Photos, Attachment 2).

Project Description

The 2000 General Plan designates the property as Public/Institutional and is zoned as R1 (Single-Family Residential). The R1 zone is not a compatible zoning district within the Public/Institutional General Plan designation. Therefore, a rezone of the property to I&R (Institutional & Recreational) is required. This rezone resolves the inconsistency between the General Plan and zoning classification, and the City's purchase adds 1.2-acres of parkland to its 410.38-acre open space inventory.

Although the City has no specific plans for the development of the property, several possibilities exist. Inspections of the school building have highlighted necessary repairs and other structural-related improvements that need to be made. Staff is currently considering demolition of the structure in order to expand Brentwood Park. This would allow for future, passive recreational uses on the property. Any future redevelopment or reuse of the site will require Council approval.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. Pursuant to Section 15325 of the CEQA Guidelines, this project is exempt from CEQA. A Class 25 Categorical Exemption consists of the transfers of ownership of interests in land in order to preserve open space, habitat, or historical resources. The proposed project falls within this exempt category because it involves "acquisition, sale, or other transfer to preserve open space or lands for park purposes."

ALTERNATIVES

1. Recommend that City Council approve Rezone R-07-03. The proposed rezone would resolve an inconsistency with the General Plan designation and zoning classification of the property. This action is required for the City to proceed with proposed future recreational uses on the property.
2. Recommend that City Council deny R-06-03. If the rezone is denied, the City would retain the existing R1 zoning designation for the property. This action does not resolve the zoning inconsistency.

CONCLUSION

The proposed rezone resolves an inconsistency between the General Plan and zoning classification. Staff recommends approval of the proposed rezone.

Attachments:

1. Vicinity Map
2. Site Photos
3. Planning Commission Resolution
4. PC Resolution dated February 12, 2007
4. CC Resolution dated February 21, 2007

cc: Asst. City Manager
 Deputy City Manager - Dev. Svs. Director.
 Assistant City Attorney
 City Engineer
 Staff (4)
 File (2)

File: 042307R0703

Date: 032907

Time: 11:45 a.m.

City of Costa Mesa

261 MONTE VISTA - [Created: 3/23/2007 4:18:37 PM] [Scale: 257.84] [Page: 8.5 x 11 / Landscape]

Overview Map



Map Display



Legend

Address Small	SECONDARY Waterway Lines
Address Points	Hydrology Channels
Freeway Roads	Street Names
Collector Freeway	
Major Freeway	
Newport BLVD	
Primary (cont)	

ATTACHMENT 2 – SITE PHOTOS



261 Monte Vista – View of Park School



261 Monte Vista – View from Monte Vista

ATTACHMENT 2 – SITE PHOTOS

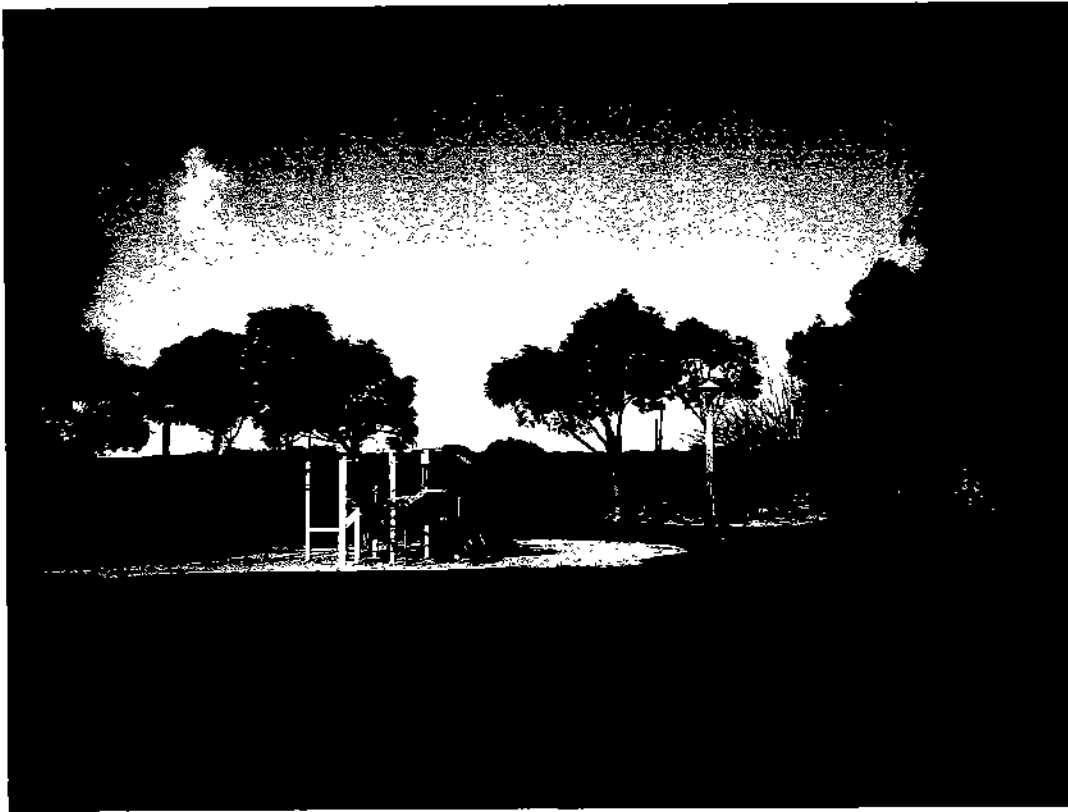


265 Monte Vista – View of Brentwood Park



265 Monte Vista – Brentwood Park

ATTACHMENT 2 – SITE PHOTOS



265 Monte Vista – Brentwood Park



2501 Westminster – View of Neighboring Property

RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA RECOMMENDING CITY
COUNCIL GIVE FIRST READING TO R-07-03 TO
REZONE PROPERTY AT 261 MONTE VISTA AVENUE
FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO I&R
(INSTITUTIONAL AND RECREATIONAL).**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the Planning Commission found the proposed purchase, acquisition, and use of the subject property in conformance with the City of Costa Mesa 2000 General Plan by adoption of Resolution No. PC-07-15 on February, 12, 2007;

WHEREAS, the City Council of the City of Costa Mesa authorized the funding and acquisition of the subject property by adoption of Resolution No. 07-21 on February 20, 2007;

WHEREAS, the City of Costa Mesa acquired the subject property in March, 2007.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 23, 2007;

WHEREAS, the Planning Commission deems it to be in the best interest of the City that said rezone be adopted to resolve an inconsistency with the General Plan land use designation;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby recommends that City Council **GIVE FIRST READING** of the Ordinance for R-07-03, as shown in Exhibit "B".

PASSED AND ADOPTED this 23rd day of April, 2007

Donn Hall, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA))ss
COUNTY OF ORANGE)

I, Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on April 23, 2007 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

R. Michael Robinson
Secretary, Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. Rezone R-07-03 is consistent with the 2000 General Plan adopted in January, 2002 and Costa Mesa Zoning Code.
- B. Rezone R-07-03 will resolve the inconsistency between the City of Costa Mesa 2000 General Plan land use designation of Public/Institutional and existing R1 zoning classification. The rezone will also allow institutional/recreational use on the subject property creating more open space for the public.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental processing procedures. The proposed activity qualifies for a Class 25 Categorical Exemption from CEQA. The proposed project falls within this exempt category of CEQA Section 15325 because it involves acquisition, sale, or other transfer to preserve open space or lands for park purposes

EXHIBIT "B"

ORDINANCE NO. 07-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO REZONE A 1.2-ACRE PROPERTY FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO I&R (INSTITUTIONAL AND RECREATIONAL) AT 261 MONTE VISTA AVENUE.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEARBY ORDAIN AS FOLLOWS:

WHEREAS, Rezone R-07-03 is consistent with the 2000 General Plan adopted in January, 2002 and Costa Mesa Zoning Code;

WHEREAS, Rezone R-07-03 of the subject property from R1 (Single-Family Residential) to I&R (Institutional and Recreational) will meet the central objective for future use and development of the subject property for parkland purposes;

WHEREAS, Rezone R-07-03 will resolve an existing inconsistency between the General Plan land use designation of Public/Institutional and the current R1 zoning classification;

WHEREAS, Rezone R-07-03 included an analysis of the interface and compatibility between the existing residential neighborhood and proposed use for parkland purposes, and the land use analysis concluded that the parkland would be a compatible amenity to the area;

SECTION 1. REZONE PETITION. The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There is hereby placed and included in the I&R zone all the real property shown on attached Exhibit 1 and described as 261 Monte Vista Avenue, Assessor Parcel Number 439-333-01, situated in the City of Costa Mesa, County of Orange, State of California. and as shown in attached Exhibit 1.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in subsection a hereof and in the respective exhibit. A copy of the Official Zoning Map is on file in the office of the Planning Division.

SECTION 2. ENVIRONMENTAL DETERMINATION. Rezone R-07-03 has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA

Guidelines, and the City's environmental processing procedures. Pursuant to Section 15325 of the CEQA Guidelines, this project is exempt from CEQA. A Class 25 Categorical Exemption consists of the transfers of ownership of interests in land in order to preserve open space, habitat, or historical resources. The proposed rezone falls within this exempt category because it involves acquisition, sale, or other transfer to preserve open space or lands for park purposes.

SECTION 3. INCONSISTENCIES. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 4. SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 5. PUBLICATION. This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED this _____ day of _____ 2007.

Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

City Clerk of the City of Costa Mesa

City Attorney

STATE OF CALIFORNIA)

COUNTY OF ORANGE)

I, JULIE FOLCIK, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above foregoing Ordinance No. 07-___ as introduced and considered section by section at a regular meeting of said City Council held on the ____ day of _____, 2007, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the ____ day of _____, 2007, by the following roll call vote:

AYES:

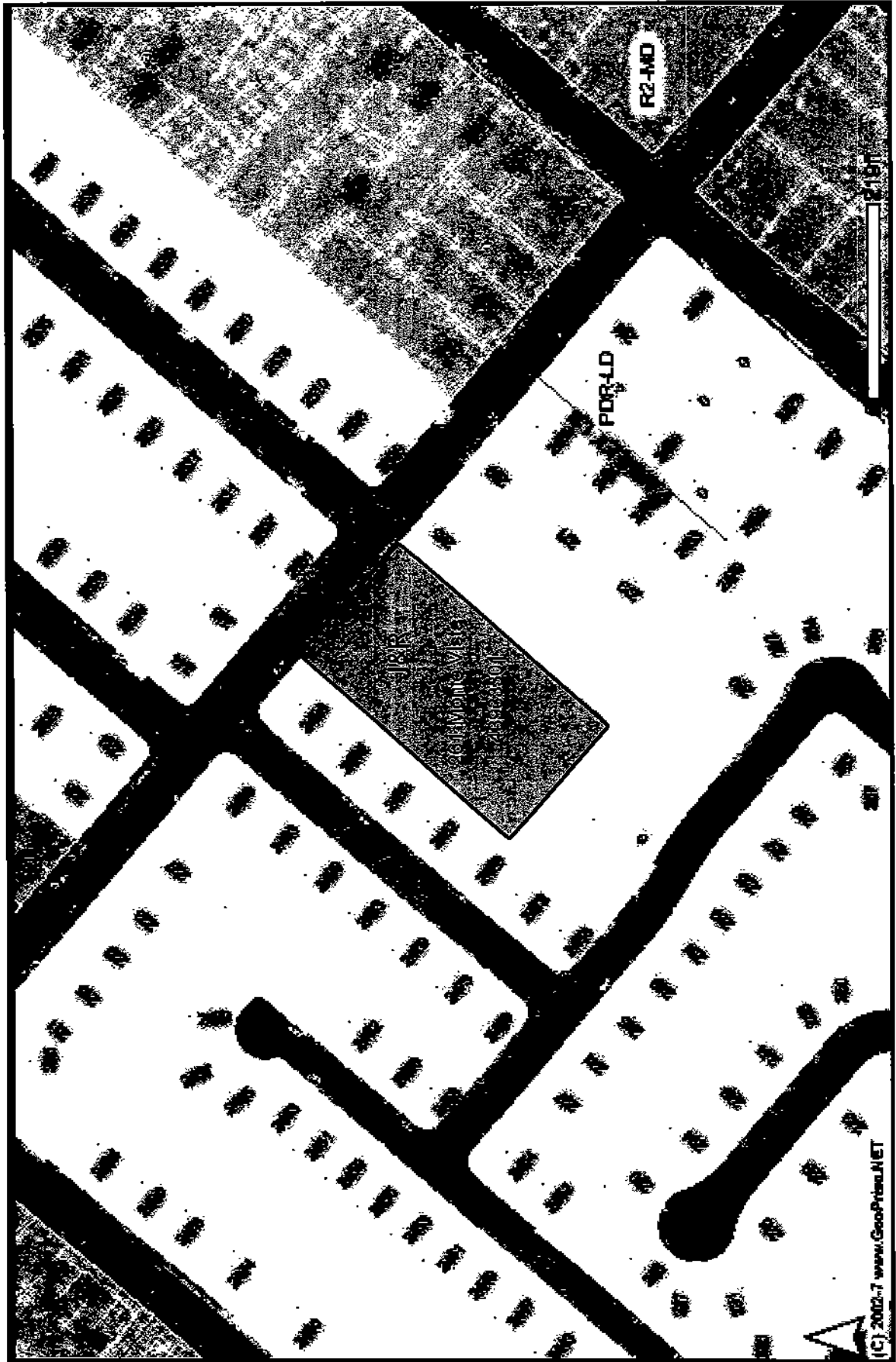
NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this ____ day of _____, 2007.

City Clerk, City Council of the City of Costa Mesa

EXHIBIT 1 – VICINITY MAP



RESOLUTION NO. PC-07-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE PROPOSED PURCHASE, ACQUISITION, AND USE OF 261 MONTE VISTA AVENUE FOR PUBLIC/INSTITUTIONAL PURPOSES OR FUTURE COMMUNITY FACILITIES IS IN CONFORMITY WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City of Costa Mesa 2000 General Plan was adopted on January 22, 2002;

WHEREAS, the California Government Code 65402, provides in part that a local agency shall not acquire, dispose, or use any real property until the use of the property has been reported upon as to conformity with the applicable General Plan;

WHEREAS, the City of Costa Mesa 2000 General Plan designates the project site at 261 Monte Vista Avenue as Public/Institutional, a General Plan designation for open space, public and institutional facilities;

WHEREAS, the City of Costa Mesa proposes the purchase, acquisition, and use of the 1.2 acre property at 261 Monte Vista Avenue for public/institutional purposes, as allowed in the 2000 General Plan;

WHEREAS, the subject property will be used for public/institutional purposes, which may involve expansion of Brentwood Park and/or remodeling existing structures as community facilities;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures, the proposed activity qualifies for a Class 25 Categorical Exemption from CEQA. The proposed project falls within this exempt category of CEQA Section 15325 because it involves acquisition, sale, or other transfer to preserve open space or lands for park purposes;

WHEREAS, the City of Costa Mesa have no plans to increase building intensity and floor area ratios beyond the standards allowed in the 2000 General Plan;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby find the proposed purchase, acquisition, and use of 261 Monte Vista Avenue for public/institutional purposes by the City of Costa Mesa is in conformity with the City of Costa Mesa 2000 General Plan.

PASSED AND ADOPTED this 12th day of February, 2007



Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on February 12, 2007, by the following votes:

AYES: COMMISSIONERS: HALL, FISLER, CLARK, EGAN, RIGHEIMER

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE


Secretary, Costa Mesa Planning
Commission

RESOLUTION NO. 07-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE GENERAL FUND TO LOAN THE PARK DEVELOPMENT FEES FUND TO COSTS RELATED TO THE ACQUISITION OF 261 MONTE VISTA AVENUE IN COSTA MESA.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the acquisition of 261 Monte Vista Avenue in the city of Costa Mesa has been found by the City Council to be an important addition to the City parkland acreage;

WHEREAS, the City Council has directed staff to structure a loan from the General Fund to the Park Development Fees Fund to pay for all of the costs associated with the acquisition of the property;

WHEREAS, the General Fund has sufficient reserves to provide for this loan and the Park Development Fees Fund is anticipated to have sufficient funding in future revenues to repay this loan within the next three to five years;

WHEREAS, the City Council authorizes the Director of Finance to take the necessary steps to appropriately account for this loan with interest including making the necessary transfers of funds to provide for the expenditures related to the following:

- The purchase price of the property;
- All necessary reports including the appraisal report and all necessary inspection reports;
- The closing costs related to close of escrow; and
- The related Attorney Fees.

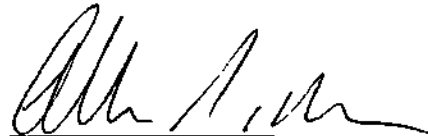
WHEREAS, the City Council directs the Director of Finance to annually include

an update on the status of the repayment of the loan as part of the Budget Development Process and annually include into the Proposed Budget a portion of the repayment that the Park Development Fees Fund can reasonably accommodate each year until the loan is fully repaid;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby **APPROVES** a loan from General Fund Reserves to the Park Development Fees Fund to provide for all costs related to the acquisition of 261 Monte Vista Avenue in Costa Mesa for the purpose of increasing parkland acreage.

BE IT FURTHER RESOLVED that the City Council authorizes the Director of Finance to take the steps necessary to structure this loan and provide for annual repayments as part of the adoption of the annual City Operating Budget.

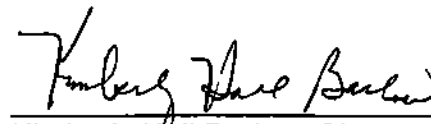
PASSED AND ADOPTED this 20th day of February, 2007.



Allan R. Mansoor, Mayor

ATTEST:

APPROVED AS TO FORM:


Julie Folcik, City Clerk
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 07-21 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 20th day of February, 2007, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, DIXON, FOLEY, LEECE

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 21st day of February, 2007.



JULIE FOLCIK, CITY CLERK

(SEAL)